

### **REMARKS**

Applicants respectfully request reconsideration of the application.

Claims 7 and 16 are rejected as being directed to non-statutory subject matter.

Applicant respectfully traverses this rejection. However, the amendment of these claims should render the rejection moot.

Claims 1-16 are rejected under 35 U.S.C. Section 102(b) as being anticipated by US Patent Publication 2001-0054150 A1. Applicants respectfully traverse the rejection of claims 1-16. However, the above amendment renders the rejection moot. Levy does not anticipate the claims for at least the reasons provided below.

#### **Claim 1**

The Office equates the reference image and watermarked image in claim 1 with different iterations of watermarked images in paragraph 49 in Levy. The Office further attempts to equate a measure of robustness with visual quality. This interpretation is not consistent with the use of the reference image in this application, nor is it consistent with the use of the visual quality metric. While there are typically trade-offs between robustness and visual quality, robustness analysis is not a direct substitute for visual quality analysis.

Nevertheless, Levy fails to teach or suggest “passing the modeled reference image and the modeled watermarked image to a visual quality metric that computes a measure of visual quality of the modeled watermarked image based on a visual quality analysis of the modeled watermarked image relative to the modeled watermarked image” as recited in amended claim 1 in combination with other elements.

#### **Other independent claims 7, 8 and 16**

Claim 7 is patentable over Levy for the same reasons as claim 1. Claims 8 and 16 differ from claims 1 and 7, yet are patentable over Levy for similar reasons as claims 1 and 7. Since Levy does not anticipate the independent claims, it also does not anticipate the dependent claims.

Further distinctions and issues relating to the interpretation of these claims are not addressed here, but Applicants reserve these arguments and do not admit the Office's positions with respect to the dependent claims.

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Respectfully submitted,

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